

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Amendment of Part 18 to)
Remove Unnecessary Regulations)
Regarding Magnetic Resonance)
Systems)

ET Docket No. 92-255

**COMMENTS OF ASSOCIATION FOR
MAXIMUM SERVICE TELEVISION, INC.**

The Association for Maximum Service Television, Inc. ("MSTV") hereby files comments to the Notice of Proposed Rulemaking, ET Docket No. 92-255, released in the above captioned docket on December 7, 1992 ("Notice").^{1/}

MSTV does not oppose the Notice's tentative decision to exempt certain medical magnetic resonance ("MR") systems from Part 18 technical standards and authorization requirements. However, MSTV reiterates its opposition to the current ad hoc process of considering such requests and urges the Commission to undertake a comprehensive assessment of interference to broadcast services.

DISCUSSION

This proceeding is but one in a long series of requests by the makers and users of various RF-producing equipment for exemptions from the requirements of Part 18

^{1/} MSTV is a trade association of approximately 250 local broadcast television stations committed to achieving the highest technical quality feasible for the local broadcast system.

designed to prevent interference to broadcast operations. As with many of those requests, but by no means all, this request facially appears to present a small risk of interference to broadcast television reception when considered in isolation. The waiver proponent, NEMA, asserts that MR devices are 1) heavily shielded, preventing dissemination of RF signals to the outside environment, and 2) limited to hospital or health care facilities and thus well-removed from broadcast television viewers. Indeed, the machines are so expensive and sophisticated that there are only 1000 in the entire country. Finally, NEMA intones that it is unaware of any complaints of interference from MR devices.

Based on these assertions, it would not appear that MR devices, standing alone, are likely to cause significant interference with broadcast television operations. But these devices do not stand alone. They operate in an environment where literally dozens of other devices, both communication and non-communication, generate RF energy. These devices may have a cumulative interference impact, which would be far greater than the effect of any one of them. The incremental addition of this cumulative interference to the existing base of RF interference to television receivers from low-power sources may be, in the long run, quite significant.

Neither the current ad hoc equipment waiver process nor the Commission's spectrum allocation processes properly

account for these interactions. But unless they are accounted for, the broadcast services face a serious threat of incremental degradation at a time when their competition from alternative delivery mechanisms is growing exponentially.

These issues are explored at length in a comprehensive petition for rulemaking filed by MSTV with the Commission on October 4, 1989.^{2/} In the years since MSTV filed this petition, the problem of unintentional interference from non-broadcast sources has only grown more acute.

MSTV again requests that the Commission take a comprehensive look at the issue of unintentional electromagnetic emissions that cause interference with broadcasting services. At a minimum, this requires that the Commission consider both the individual effects of the particular device or service and the cumulative and synergistic effects that the addition of the device's interference will cause. Petition, at 28-34. An ad hoc process cannot adequately protect against the degradation of broadcast spectrum.

MSTV is also concerned with the emphasis in both the initial petition and in the Notice on the lack of complaints as a basis for this decision. As MSTV has noted on numerous occasions, and as the Commission itself has conceded in less


^{2/} Association of Maximum Television Service, Petition for Inquiry (October 4, 1989) ("Petition").

guarded moments, a lack of complaints in the context of television broadcasting is an essentially meaningless fact.
See Petition, at 38-40.

Respectfully submitted,

ASSOCIATION FOR MAXIMUM
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